



PATENT  
Attorney Docket No.: A-67209-4/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WALT et al.

Serial No. 09/816,651

Filed: March 23, 2001

For: METHODS FOR DETECTING  
TARGET ANALYTES AND  
ENZYMATIC REACTIONS

Examiner: NOT YET ASSIGNED

Group Art Unit: NOT YET ASSIGNED

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: 5-14-01

Signed: Christine P. Peters

Christine P. Peters

INFORMATION DISCLOSURE STATEMENT AND  
STATEMENT OF RELATEDNESS

Assistant Commissioner  
for Patents  
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449.

Since copies references 1-62 and 88-111 were provided either by the Applicant or the Examiner in the following related U.S. Applications; Serial No. 08/818,199, filed March 14, 1997, now Patent No. 6,023,540, and U.S.S.N. 09/450,829, filed November 29, 1999, upon which the instant application relies for its priority date, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed. Copies of references 63-87a and 112-114 are enclosed herewith.

**Serial No.: 09/816,651**

**Filed: March 23, 2001**

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. United States Serial Number 08/818,199, filed March 14, 1997, now Patent No. 6,023,540 and U.S.S.N. 09/450,829, filed November 29, 1999.
2. U.S.S.N. 09/189,543, filed November 10, 1998; U.S.S.N. 09/344,526, filed June 24, 1999; and U.S.S.N. 09/748,706, filed December 22, 2000.
3. U.S.S.N. 08/944, 850, filed October 6, 1997, and U.S.S.N. 09/287,573 filed April 6, 1999.
4. U.S.S.N. 09/315,584, filed June 20, 1999.
5. U.S.S.N. 09/256,943, filed February 24, 1999; U.S.S.N. 09/473,904, filed December 28, 1999; and U.S.S.N. 09/606,369, filed June 28, 2000.
6. U.S.S.N. 08/851,203, filed May 5, 1997, and U.S.S.N. 09/187,289, filed November 5, 1998.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

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This Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of a national stage, or before the mailing date of a first Office Action on the merits. 37 C.F.R. § 1.97(b), and therefore no fee is required. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67209-4/RMS/DCF).

Respectfully submitted,

FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERT



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Dated: May 14, 2001

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MAY 18 2001  
PATENT & TRADEMARK OFFICE

# INFORMATION DISCLOSURE CITATION

PTO-1449

ATTY. DOCKET NO.  
A-67209-4/RMS/DCFSERIAL NO.  
09/816,651APPLICANT  
WALT et al.FILING DATE  
March 23, 2001GROUP  
Not Yet Assigned**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	1	4,200,110	4/1980	Peterson et al.			
	2	4,682,895	7/1987	Costello			
	3	4,785,814	11/1988	Kane			
	4	5,518,883	5/1996	Soini			
	5	4,999,306	3/1991	Yafuso et al.			
	6	5,302,509	4/1994	Cheeseman			
	7	5,357,590	10/1994	Auracher			
	8	5,435,724	7/1995	Goodman et al.			
	9	5,481,629	1/1996	Tabuchi			
	10	5,575,849	11/1996	Honda et al.			
	11	5,639,603	6/1997	Dower et al.			
	12	4,824,789	4/1989	Yafuso et al.			

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS		PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	13	97/14928	4/1997	PCT				
	14	00/04372	1/2000	PCT				
	15	99/67414	12/1999	PCT				

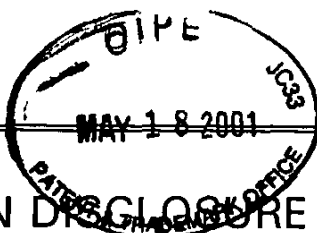
**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	16	Healey et al., "Improved Fiber-Optic Chemical Sensor for Penicillin," Anal. Chem. 67(24):4471-4476 (1995).
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	19	Michael et al., "Making Sensors out of Disarray: Optical Sensor Microarrays," Proc. SPIE, 3270: 34-41 (1998).

EXAMINER

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	20	5,863,708	1/1999	Zanzucchi et al.			
	21	5,656,241	8/1997	Seifert et al.			
	22	4,499,052	2/1985	Fulwyler			
	23	5,244,813	9/1993	Walt et al.			
	24	5,250,264	10/1993	Walt et al.			
	25	5,252,494	10/1993	Walt			
	26	5,254,477	10/1993	Walt			
	27	5,298,741	3/1994	Walt et al.			
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	29	5,320,814	6/1994	Walt et al.			
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EXAMINER'S INITIALS		PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	31	0 478 319	4/1992	EP				
	32	0 723 146	7/1996	EP				
	33	0 269 764	6/1988	EP				
	34	89/11101	11/1989	PCT				
	35	93/02360	2/1993	PCT				
	36	97/14028	4/1997	PCT				
	37	97/40385	10/1997	PCT				
	38	98/40726	9/1998	PCT				
	39	98/53093	11/1998	PCT				
	40	98/53300	11/1998	PCT				

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SHEET 3 OF 6

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	41	5,143,853	9/92	Walt			
	42	5,244,636	9/93	Walt et al.			
	43	5,690,894	11/97	Pinkel et al.			
	44	5,516,635	5/96	Ekins et al.			
	45	5,002,867	3/1991	Macevicz			
	46	5,105,305	4/1992	Betzig et al.			
	47	5,028,545	7/1991	Soini			
	48	5,496,997	3/1996	Pope			
	49	5,573,909	11/1996	Singer et al.			
	50	5,194,300	3/1993	Cheung			
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	52	5,494,798	2/1996	Gerdt et al.			
	53	5,565,324	10/1996	Still et al.			
	54	5,900,481	5/1999	Lough et al.			
	55	5,888,723	3/1999	Sutton et al.			
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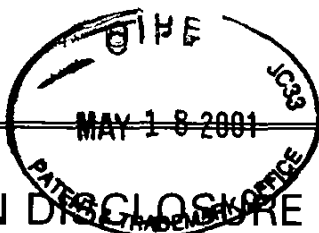
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EXAMINER'S INITIALS		PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	57	0 392 546	10/1990	EP				

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EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	58	4,822,746	4/1989	Walt			
	59	5,114,864	5/1992	Walt			
	60	5,814,524	10/1998	Walt			

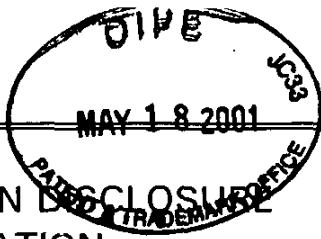
## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS		PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No
	61	99/18434	4/1999	WO				
	62	00/39587	7/2000	WO				
	63	96/03212	02/1996	WO				
	64	98/13523	04/1998	WO				
	65	98/50782	11/1998	WO				
	66	99/60170	11/1999	WO				
	67	99/67641	12/1999	WO				
	68	00/13004	03/2000	WO				
	69	00/16101	03/2000	WO				
	70	00/47996	08/2000	WO				
	71	00/48000	09/2000	WO				
	72	00/63437	10/2000	WO				
	73	00/71243	11/2000	WO				
	74	00/71995	11/2000	WO				
	75	00/75373	12/2000	WO				

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## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
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	81	6,023,540	02/2000	Walt et al.			
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	85	5,660,988	08/1997	Duck et al.			
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	87a	5,856,083	01/1999	Chelsky et al.			

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							Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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<div style="text-align: center;">  <p><b>INFORMATION DISCLOSURE CITATION</b></p> <p>PTO-1449</p> </div>		ATTY. DOCKET NO. A-67209-4/RMS/DCF	SERIAL NO. 09/816,651
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
94	Michael et al., "Fabrication of Micro- and Nanostructures Using Optical Imaging Fibers and there Use as Chemical Sensors," Proc. 3rd Intl. Symp., Microstructures and Microfabricated Systems, ed. P.J. Hesketh, et al., v. 97-5, Electrochem. Soc., 152-157 (Aug. 1997).		
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107	Czarnik, "Illuminating the SNP Genomic Code," Modern Drug Discovery, 1(2): 49-55 (1998).		
108	Healey et al., "Fiberoptic DNA Sensor Array Capable of Detecting Point Mutations," Analytical Biochemistry, 251:270-279 (1997).		
109	Fuh et al., "Single Fibre Optic Fluorescence pH Probe," Analyst, 112:1159-1163 (1987).		
110	Ferguson et al., "A Fiber-Optic DNA Biosensor Microarray for the Analysis of Gene Expression," Nature Biotechnology, 14:1681-1684 (1996).		
111	Drmanac, R. et al., "Sequencing by Oligonucleotide Hybridization: A Promising Framework in Decoding of the Genome Program," The First International Conference on Electrophoresis, Supercomputing and the Human Genome, Proceeding os th April 10-13, 1990 Conference at Florida State University. Ed. C. Cantor and H. Lim.		
112	Iannone et al., "Multiplexed Single Nucleotide Polymorphism Genotyping by Oligonucleotide Ligation and Flow Cytometry," Cytometry, 39:131-140 (2000).		
113	Lyamichev et al., "Polymorphism identification and quantitative detection of genomic DNA by invasive cleavage of oligonucleotide probes," Nature Biotechnolgy, 17:292-296 (1999). (added 4/3/01 892 68087-2)		
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